

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19668 of 2021

Abhishek Kumar Jha Son of Ratna Nand Jha Resident of Mohalla- Shiv
Nagar, Post Office- Gonawan, Police Station- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The Union of India through Ministry of Personnel Public Grievance and Pension, Department of Personnel and Training, Staff Selection Commission, New Delhi.
2. The Regional Director (CR), Staff Selection Commission, Civil Lines, Kendriya Sadan Prayag Raj (U.P.).
3. The Presiding Officer, Executive Board, DME of SIS and ASIS SSC 2019, Command Hospital, CRPF, Muzaffarpur, Bihar.
4. The Chief Medical Officer (Sh)/Comdt. Command Hospital, CRPF, Muzaffarpur, Bihar.
5. The Medical Officer/AC, DME of SIS and ASIS SSC 2019, Command Hospital, CRPF, Muzaffarpur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Sinha, Advocate
For the UOI	:	Mr. Ratnesh Kumar, CGC
For the SSC	:	Mr. Manoj Kumar Singh, Advocate
		Mr. Kautilya Kumar Prasad, JC to CGC

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 09-05-2022

Heard learned counsel for respective parties.

In the instant petition, petitioner has prayed for the
following reliefs:-

*(i) For issuance of writ in the
nature of certiorari setting aside the
Review Medical Examination report
dated 29.10.2021, issued under the
signature of Chief Medical Officer,
Command Hospital, Muzaffarpur (as
contained in Annexure-7), whereby and
whereunder the aforesaid have issued*



certificate to the extent that the petitioner is declared unfit due to operated Hydrocele-1½ month ago as per Clause 11, 4(b) of the guidelines for recruitment medical examination in CAPF in medical examination for appointment of S.I. in Delhi Police, CAPFs and ASI in CISF, which is contrary to the Clause 6(25) of the said guideline.

(ii) For setting aside the consequential medical examination report dated 28.10.2021 issued under the joint signature of Presiding Officer, Executive Board and Medical Officer/AC, CH, CAPF, Muzaffarpur by which the aforesaid given opinion and issued memorandum of unfit in the same reason, which also contrary to the guideline for the same.

(iii) For issuance of writ in the nature of mandamus directing and commanding the respondents concern to reconsider the case of petitioner by constituting a fresh medical board for re-examination of the petitioner.

(iv) For issuance of any other writ/writs, order/order, direction/directions, relief/reliefs to the petitioner as your Lordships may deem fit and proper.”

During the pendency of the present petition, petitioner was subjected to review medical examination in which petitioner was found fit.



In the light of the aforesaid development, the concerned official respondents are hereby directed to consider the petitioner’s candidature for selection and appointment in accordance with law.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

